Meredith Rosenthal, Ph.D.CONFIDENTIAL   February 23, 2006
Cambridge, MA

389

1 exactly the kind of behavior that has been alleged
2 to be fraudulent.
3   Q. Are you familiar with the economic
4 literature on list prices?
5   A. I am not sure what literature you're
6 talking about here, but this is a context in which
7 there is third-party payer paying the list price,
8 and the physician is paying a discounted price.
9   So I am not sure if the literature
10 you're talking about is relevant.
11   Q. Did you know that BMS does not report ASPs
12 to the publications?
13   MR. MACORETTA: Objection.
14   A. I have understood that some of the
15 manufacturers report WACs or -- I know they use a
16 different term for it, but what we have discussed
17 before I would call a WAC.
18   Q. IMS reports a list price --
19   A. Okay. Yes. The list price.
20   Q. What is the purpose of a list price?
21   Do you have an understanding of what
22 the purpose of a list price is?

390

1   A. My understanding is that one of the
2 purposes of that list price, that BMS was aware
3 of, is that the third-party payers need some
4 benchmark for reimbursement.
5   Q. I am not asking you about this particular
6 situation.
7   Do you have -- do you as an economist
8 have an understanding of the purpose of a list
9 price generally?
10   A. List prices may have many different roles
11 in other markets.
12   It may -- as we discussed yesterday,
13 there may be simple economics of price
14 discrimination, and a list price is potentially
15 the price for the least elastic buyer.
16   Q. List prices are very, very common
17 throughout the American economy, correct?
18   A. That is correct, but the situation is very
19 different in most segments of the economy, where
20 there is not third-party reimbursement.
21   Q. Is it correct that list prices typically
22 do not reflect discounts?

391

1   A. I would judge that the term "list price"
2 would suggest that it does not reflect discounts.
3   Q. And are there economic justifications, in
4 your view, for keeping discounts confidential?
5   A. There are economic theories with regard to
6 the benefits of price discrimination.
7   These are theories that -- for which
8 -- it's not conclusive what the result is. There
9 can be cases in which keeping discounts secret has
10 economic benefits.
11   Q. Do you disagree with Dr. Burnt's statement
12 -- and I think he may have been quoting somebody
13 else -- that the best discount is the secret
14 discount?
15   A. I think it's Figlot's, but I am not a
16 hundred percent sure.
17   Do I disagree with him? There are
18 cases in which secret discounts can yield positive
19 effects for the economy as a whole, and I believe
20 he cites that literature.
21   Q. Well, assuming, as the information that
22 you have in front of you suggests, that BMS

392

1 reported a list price to the industry
2 publications, and BMS had significant sales at or
3 about list price, as Dr. Hartman's calculation of
4 the ASPs for Etopophos would suggest, is there
5 anything that BMS should have done differently in
6 this situation?
7   A. I'm afraid I don't have an opinion as to
8 what BMS should have done differently.
9   My opinion is that there are economic
10 incentives to raise these AWPs relative to the
11 discounted price offered to providers and that's
12 not about price discrimination. That's about the
13 fact that the list price is paid by a separate
14 party reimbursing the intermediate purchasers.
15   Do I have an opinion about what they
16 should have done? The allegations here suggest
17 that something was done in a legal sense
18 fraudulently, but I don't have an opinion about
19 what they should have done.
20   Q. Well, if BMS had retained you to advise it
21 and said to you, "Look, you know, we want to do
22 the right thing. We want to be a good corporate

Meredith Rosenthal, Ph.D. CONFIDENTIAL   February 23, 2006
Cambridge, MA

393

1   citizen. We are coming out with this new
2   product. We have to come up with a list price."
3   Would you have told it to do anything
4   differently from what it did here?
5   A. I am not sure if I can answer that
6   question. I just don't understand what you are
7   getting at.
8   Q. Well, based on the information that you
9   have in front of you, are you in a position to
10 opine that BMS intended to deceive any class
11 members in the way it priced Etopophos?
12   A. My opinions here are that the
13 reimbursement system set up incentive for BMS to
14 do so; and in looking at the spreads, there is --
15 it clearly was done, and also looking at
16 defendant's own characterization of the market
17 incentives, it suggests to me -- I conclude that
18 there was a competitive strategy here to inflate
19 the AWPs.
20   If I were advising BMS, it would be
21 sort of ethically -- the appropriate strategy
22 would be to report the AWP that represented the

394

1   transactions.
2   Q. We are not talking about AWPs. We are
3   talking about wholesale list price.
4   A. I'm sorry.
5   Q. BMS came up with a wholesale list price--
6   A. Wholesale list price --
7   Q. -- and are you suggesting that coming up
8   with a wholesale list price of $99.31 and then
9   offering introductory discounts below that list
10 price of less than 10 percent is somehow
11 economically undesirable behavior?
12   A. I don't distinguish the scenario you are
13 talking about from the broader notion of reporting
14 AWPs consistent with what is actually paid by the
15 physicians, and so I would say that that behavior,
16 which was about gaining market share at the
17 expense of the third-party payers, still conforms
18 with the general theory here.
19   Q. Do you know whether BMS gained any market
20 share as a result of the way it priced Etopophos?
21 . A. I have not estimated that, no.
22   Q. Do you know whether BMS made any money on

395

1   Etopophos?
2   A. I do not know that.
3   Q. Would it surprise you to know that
4   Etopophos was most of the spectacularly
5   unsuccessful products in BMS's history?
6   MR. MACORETTA: Objection.
7   A. It wouldn't surprise me, because I did not
8   have an expectation about it.
9   Q. Are you saying that you think there is
10 some obligation or economic imperative that
11 requires sellers to adjust their list prices in
12 order to reflect the extent to which they are
13 discounting?
14   A. The theory here is that there was a
15 strategic action by the manufacturer that resulted
16 in the third-party payers paying a greater amount
17 than they would have had they reported an AWP that
18 was consistent with the ASP, the discounted price.
19   I'm not altogether comfortable with
20 the way you've couched this in sort of right or
21 wrong.
22   I am talking about a set of economic

396

1   incentives, economic behavior. I have assumed the
2   allegations, the legal allegations of fraud here
3   as part of my report.
4   Q. Are you aware of any industry in which
5   sellers change their list prices to reflect
6   discounts?
7   A. Again, there are no other industries that
8   I can point to for which I'm aware of any such
9   list prices where there's third-party
10 reimbursement that is tagged off of that list
11 price.
12   Q. Are you aware of any economic literature
13 which suggests that sellers should change their
14 list prices to reflect discounts?
15   A. This term "should," again, I guess doesn't
16 have any particular economic meaning for me.
17   "Should" in an economic sense would be
18 profit-maximizing, but that's not necessarily -- a
19 firm can be profit-maximizing inside or outside of
20 the law.
21   Q. Are you aware of any economic literature
22 which establishes a yardstick for maximum

397

1   discounts such as Dr. Hartman's 30 percent?
2   A. I am not sure if I would interpret
3   Dr. Hartman's yardstick as the maximum discount.
4   Q. Well, if the judge were to issue an order
5   adopting Dr. Hartman's yardstick, all spreads of
6   30 percent or less are okay, all spreads of
7   greater than 30 percent are not okay, what do you
8   think would happen from an economic standpoint?
9   MR. MACORETTA: Objection.
10   Go ahead.
11   A. I see your implication that should the law
12 find that this is the line, that list prices would
13 need to stay within 30 percent, so then by
14 definition of the discount as the difference
15 between the list price and what the providers pay.
16   Again, this is a somewhat unique
17 market, and we are not talking about used cars
18 here, where the third-party payer is paying the
19 list price.
20   Q. What do you think would happen if the
21 judge entered an order saying discounts 30
22 percent or below are okay, discounts above 30

398

1   percent are not okay?
2   MR. MACORETTA: Objection.
3   Q. What do you think would happen from an
4   economic standpoint?
5   A. I --
6   Q. How would the marketplace react to that?
7   A. I would guess that discounts relative to
8   the list price would not exceed 30 percent.
9   Q. And do you think that as a result of
10 competitive forces in the marketplace what would
11 basically happen is manufacturers would create a
12 situation where the difference between AWP and
13 ASP in most situations was 30 percent?
14   MR. MACORETTA: Objection.
15   You can answer.
16   A. It's not altogether clear what would
17 happen.
18   In terms of the relative discounts, I
19 am not sure why you think they would all go to 30
20 percent, unless 30 percent had been an absolute
21 floor before.
22   Q. Let me ask you to take a look at your

399

1   tutorial --
2   A. Yes.
3   Q. -- which is Exhibit Rosenthal 003.
4   A. Thank you. I have it. Thank you.
5   Q. Page 8.
6   A. Okay.
7   Q. First paragraph, second sentence, you say,
8   "Thus, a manufacturer's rational economic
9   response in this setting is to set transaction
10 prices to be profit-maximizing and set AWP as
11 high as possible to increase physician profits
12 and thereby the demand for their drug."
13   A. Yes.
14   Q. If there were this 30 percent ceiling
15 imposed by law, what do you think the
16 manufacturers' natural economic response to that
17 would be?
18   MR. MACORETTA: Again, objection.
19 Incredibly hypothetical, but go ahead.
20   A. I think what could happen -- it's a little
21 unclear, but given that there are discounts below
22 30 percent now, in many cases, many drugs are 20

400

1   percent discounted below the average wholesale
2   price, if you will allow me to use that as a
3   benchmark, there would still be drugs that are in
4   that range.
5   I would assume if there were severe
6   legal penalties, as it seems you are suggesting in
7   your scenario, that manufacturers would not
8   discount any more than 30 percent below.
9   Now, of course, the entire AWP might
10 shift as well.
11   Q. Well, let's say we have two products. I'm
12 sorry. Strike that.
13   Let's say we have two manufacturers
14 offering competing products --
15   A. Yes.
16   Q. -- and let's say that the ASP for both of
17 these products is a hundred dollars --
18   A. Okay.
19   Q. -- and let's say that manufacturer one in
20 order to gain a competitive advantage over
21 manufacturer two creates a spread of 10 percent.
22   A. Okay.

Meredith Rosenthal, Ph.D.CONFIDENTIAL   February 23, 2006
Cambridge, MA

401

1   Q. What do you think manufacturer two is
2   going to do?
3   A. I'm sorry, in what scenario?
4   Q. In response to the competitive advantage
5   that manufacturer one has just achieved by
6   creating a spread of 10 percent.
7   A. So then --
8   MR. MACORETTA: Objection.
9   Go ahead.
10   A. -- the notion of competition here is tit
11   for tat. So one increases the spread. The other
12   increases the spread.
13   Q. Okay. And if you had a 30 percent
14   ceiling, you would expect them both to
15   eventually, as a result of competitive forces, to
16   increase their spreads to 30 percent, correct?
17   A. Right.
18   Q. And then once you get to that point, is
19   there any way that they can compete against one
20   another?
21   A. So, again, assuming that it was in -- in
22   the imaginary-litigation world, assuming that it

402

1   was optimal to set their spreads at 30 percent in
2   the first place, all these things involve marginal
3   tradeoffs.
4   Then this imaginary litigation that
5   stopped the world at 30 percent would be a ceiling
6   for those manufacturers who didn't find it better
7   to stop before then, and obviously many
8   manufacturers have not inflated their drugs.
9   So that would limit the AWP inflation
10   relative to that ASP at 30 percent, and therefore,
11   the AWPs would not rise any more relative to that.
12   Q. Once they got that 30 percent ceiling --
13   A. Yes.
14   Q. -- if they wanted to compete by making
15   their offering more attractive to the provider,
16   how would they do it?
17   A. Excuse me. They would reduce both their
18   ASP and AWP.
19   Q. Isn't it more likely what they would do
20   under that scenario is they would raise their ASP
21   because 30 percent of a larger number would mean
22   more money for the provider?

403

1   A. It would depend on the particular scenario
2   that you are talking about in terms of the
3   dollars.
4   Q. Have you considered whether Dr. Hartman's
5   yardstick theory, if implemented in real world,
6   would result in higher prices?
7   A. No, I have not.
8   Q. In the example I just gave you,
9   Dr. Hartman's yardstick theory could very well
10   result in higher prices, correct?
11   A. You could generate an example that would
12   do that.
13   Q. And that would not be economically
14   beneficial to consumers?
15   A. Presumably not.
16   Q. What do you mean by the phrase "rational
17   economic response" on Page 8 of your tutorial,
18   which is Exhibit Rosenthal 003?
19   A. Profit-maximizing, taking account of the
20   available information that they have in the sets
21   of reimbursement mechanisms in place.
22   Q. In other words, given the way the system

404

1   has been set up, this is the way that you would
2   expect any rational economic actor to behave?
3   A. From a purely economic perspective, yes.
4   Q. Even if there were no intent to deceive,
5   this is what you would expect to happen for
6   competitive reasons, correct?
7   MR. MACORETTA: Objection.
8   Go ahead. You can answer.
9   A. Again, you've put a legal spin on an
10   economic notion that -- profit-maximization
11   doesn't really interact with that notion of intent
12   to deceive, which seems to be a legal notion.
13   So that profit-maximizing idea is
14   really purely an economic one.
15   Q. As I understand your theory, you are
16   saying that the incentives and the conduct that
17   you have observed are the result of a rational
18   economic response to the system in which the
19   manufacturers operate, correct?
20   A. That they are the result of the incentives
21   of the reimbursement system, but again, profit-
22   maximization, it's not a legal notion, and it

405

1   sounds like you are using it to justify a legal
2   term, and I am not prepared to -- I am not
3   qualified to make a legal opinion.
4   Q. Is it fair to say that the economic
5   behavior you observe is as consistent with
6   competition as it is with fraud?
7   A. A kind of competition --
8   MR. MACORETTA: Objection.
9   A. It's a kind of competition, competing for
10   provider decision-making, essentially.
11   Q. Given the model that you have created for
12   analyzing rational economic behavior, how would
13   you explain BMS's conduct with respect to
14   Etopophos?
15   A. I am not sure what you are talking about.
16   There is a spread in the case of
17   Etopophos in 1996.
18   Q. What you say -- what you say in your
19   report is rational economic behavior in this
20   context would result in some form of AWP
21   inflation, and you use Exhibit Rosenthal 015, the
22   launch plan for Etopophos as an example for that, and

406

1   you point to a page in which two strategies are
2   proposed: One strategy, a reduction of Vepesid's
3   AWP; the second strategy, a premium list price
4   for Etopophos, and neither of those things
5   happened.
6   How do you explain that?
7   A. I point to this document as a recognition
8   of the incentives.
9   In no way does the theory say at all
10   times it will be the best strategy for every
11   manufacturer to raise the AWP.
12   There is evidence of a spread between
13   the AWP and the ASP.
14   Q. So what you are saying is your theory does
15   not depend on what actually happened in the
16   marketplace?
17   A. No. That's not what I am saying.
18   What actually happened in the marketplace -- you
19   are sort of making an implication about a relative
20   spread, saying that if what happened didn't consist
21   of exactly what was in that memo, then there was no
22   spread, but there was spread.

407

1   And so for these drugs that -- for which Dr.
2   Hartman has produced the calculations that you've
3   seen, there were indeed spreads. So
4   that's again consistent with my theory.
5   Now, looking at the specific spread that you
6   were looking for isn't there, but that just means
7   that tradeoffs may have been in a different direction.
8   MR. STEVENS: Okay. I am not going
9   to ask you any further questions at this time.
10   THE WITNESS: Thank you.
11   CROSS-EXAMINATION
12   BY MR. DOVE:
13   Q. Good afternoon, Dr. Rosenthal.
14   A. Good afternoon.
15   Q. My name is Ron Dove, and I am a lawyer for
16   GlaxoSmithKline.
17   A. Hi, Ron.
18   Q. I would like to direct your attention to
19   Page 18, Paragraph 38 of your report --
20   A. Okay.
21   Q. -- and specifically to the graph for
22   Zofran.

408

1   Do you see that?
2   A. I do.
3   Q. Would you agree that the top line of --
4   the top line of that graph shows that the change
5   in AWP for Zofran over time from 1991 to 2003; is
6   that right?
7   A. Yes, I believe it does.
8   Q. Now, have you studied the Zofran price
9   increase that is reflected in this graph to see
10   how it compares with the rate of inflation during
11   that same time period?
12   A. No. I have not.
13   Q. Would it surprise you if I told you that
14   in every year during that class period, the
15   actual AWP for Zofran was lower than would have
16   been the case if Zofran's AWP changed -- matched
17   inflation?
18   A. As I mentioned before, if you were going
19   to make that kind of deflation, you would need to
20   make with regard to the ASP as well as, and it
21   would have comparable effects; and to the
22   difference between them, it would continue to

Meredith Rosenthal, Ph.D.CONFIDENTIAL   February 23, 2006
Cambridge, MA

409

1 diverge.
2   Q. I guess -- I don't really want to ask
3 about the discount line. I don't want to ask
4 about spread.
5   I want to focus only on the AWP
6 increase --
7   A. Okay.
8   Q. -- line, and my question is pretty simple
9 one.
10   Would it surprise you if I told you in
11 every year during the class period the actual AWP
12 for Zofran was lower than it would have been the
13 case if Zofran's AWP change had matched
14 inflation?
15   A. I guess it would not particularly surprise
16 me.
17   I mean, I am certainly aware of what
18 the rate of inflation is roughly over this period.
19   Q. So that would not surprise you?
20   A. No. It wouldn't surprise me.
21   Q. Have you studied the AWP increase for any
22 drugs in this litigation to see how those

410

1 increases compare with the rate of inflation
2 during this time period?
3   A. I did not think that to be relevant. So,
4 no, I have not.
5   MR. DOVE: I have no further
6 questions at this time.
7   MR. MACORETTA: We will take a break.
8   MR. CAVANAUGH: We have one more.
9   MR. MACORETTA: Let's go off the
10 record.
11   THE VIDEOGRAPHER: The time is 2:51.
12 We are off the record.
13   (A discussion was held off the record.)
14   THE VIDEOGRAPHER: Stand by. The
15 time is 2:52. We are back on the record.
16   CROSS-EXAMINATION
17 BY MR. MACORETTA:
18   Q. Dr. Rosenthal, I want to talk to you for a
19 second about some testimony you gave yesterday,
20 and for counsels' benefit, I am going to look at
21 Pages 15 and 16 of the rough draft of yesterday's
22 deposition.

411

1   Mr. Cavanaugh asked you early on in
2 your deposition whether or not you had talked to
3 any health and welfare plans, and I believe you
4 said you talked to the Taft Hartley Plan.
5   .   Do you remember that?
6   A. That's correct.
7   Q. Do you remember what the name of the Taft
8 Hartley plan was?
9   A. It was an Illinois area Taft Hartley Plan.
10 I am afraid I don't remember actually.
11   Q. Okay. And then there was a discussion
12 about whether or not you talked to a Blue Cross
13 Plan that provided some services for that Taft
14 Hartley Plan.
15   Do you remember that?
16   A. That's right.
17   Q. Okay. Did you talk -- did you attempt to
18 talk to anyone at that Blue Cross Plan?
19   A. At the end of the call, I mentioned that
20 it would be useful to talk to the Blue Cross Plan
21 that was the third-party administrator for the
22 Taft Hartley Plan, and that would have been Blue

412

1 Cross/Blue Shield of Illinois, I believe.
2   Q. Okay. The transcript is unclear.
3   Mr. Cavanaugh says on page, "Do you
4 understand that one of the class representatives
5 in this case is a Blue Cross?" And you answer,
6 "I do."
7   That's still true, right?
8   A. That's still true.
9   Q. Then Mr. Cavanaugh says, "Did you make an
10 effort to contact that Blue Cross organization?"
11   And your the answer in the transcript
12 -- your answer is "we."
13   So what is your answer to that
14 question? Did you make an effort to contact a
15 Blue Cross that is class representative in this
16 case?
17   A. So I asked on this call with the Taft
18 Hartley Plan, I asked if we would be able to get
19 in touch with them, and I don't know what happened
20 with the follow-up.
21   Q. What Blue Cross do you understand to be a
22 class representative in this case?

Meredith Rosenthal, Ph.D.CONFIDENTIAL   February 23, 2006
Cambridge, MA

413

1   A. I believe, in this case, it is Blue
2   Cross/Blue Shield of Massachusetts.
3   Q. Did you ever make any effort to talk to
4   them about anything?
5   A. No, I did not.
6   MR. MACORETTA: There we go.
7   That's all the questions I have.
8   Mr. Cavanaugh may have some follow-up.
9   REDIRECT EXAMINATION
10   BY MR. CAVANAUGH:
11   Q. Would I be correct that, then, Doctor,
12   that you have had no communications and sought no
13   information from any class representative in this
14   case?
15   A. I haven't.
16   MR. MACORETTA: I just said we talked
17   to Taft Hartley Plan, that used to be a class
18   representative.
19   Q. Any of the current class representatives?
20   A. I believe that must be my confusion. They
21   would not be currently.
22   MR. MACORETTA: Now we are going off

414

1   the record.
2   THE VIDEOGRAPHER: The time is 2:55.
3   We are off the record.
4   (The deposition was adjourned at 2:55 p.m.)
5
6
7   _____
8   Meredith Rosenthal, Ph.D.
9
10   SUBSCRIBED AND SWORN before and to me
11   this day of_____, 20__.
12
13
14
15
16   _____
17   NOTARY PUBLIC
18
19
20
21
22   My Commission expire:

415

1   COMMONWEALTH OF MASSACHUSETTS)
2   SUFFOLK, SS   )
3
4   I, Deborah L. Roth, and Notary Public in and for
5   the Commonwealth of Massachusetts, do hereby
6   certify that there came before me on February
7   23, 2006, the person hereinbefore named, who was
8   by me duly sworn to the truth concerning any
9   knowledge in this cause; that that person was
10   thereupon examined under oath, and the
11   examination reduced to typewriting; and that the
12   deposition is a true record of the testimony
13   given by the witness.
14   I further certify that I am neither related to
15   nor employed by any attorney or counsel employed
16   by the parties hereto or financially interested
17   in the action.
18   In witness whereof, I have hereunto set my hand
19   this 23th day of February 2006.
20
21   DEBORAH ROTH, Notary Public
22   My commission expires: 2/7/08

Meredith Rosenthal, Ph.D.   CONFIDENTIAL   February 23, 2006
Cambridge, MA

1

A				
abandoned 270:1	330:19 331:1,10	388:13	240:20 246:22	**altering** 345:4
ability 248:8 251:4	331:14 332:2,3	**adequate** 374:19	250:20 261:14	**alternative** 255:9
251:11 260:10	332:15 333:9,18	375:4,20	267:6 272:22	376:6 384:7
308:10 314:18	333:21 334:1,5,8	**adjourned** 414:4	275:12,20 279:20	**altogether** 395:19
319:20 320:11	336:12,16 337:1	**adjust** 395:11	295:11,15 298:9	398:16
able 250:18 309:9	337:7,12 343:17	**adjusted** 334:2	304:8 305:15	**ambiguity** 325:7
325:8 329:22	344:5 356:18	**administer** 282:4	306:2 312:9,14	**amend** 342:10
412:18	364:6 365:2,20	**administered**	314:21 325:14,17	**American** 314:3
absence 318:18	373:5 374:17	309:14 310:13	329:9 334:10	390:17
absolute 242:10	**action** 232:4	348:14	335:1 341:16	**Americas** 233:12
398:20	313:18 331:16	**administration**	343:18 344:19	**amount** 256:12,14
absolutely 290:13	395:15 415:17	266:22 268:8	347:18,22 348:11	276:19 322:8,10
320:13	**actionable** 331:8	**administrative**	408:3	322:13 323:12
academic 359:14	**actions** 232:12	237:13 267:10	**agreed** 246:7	333:15 337:19
359:19 360:6	303:18 308:10	**administrator**	**agreement** 237:14	339:12,21 340:18
accept 382:22	340:8	411:21	**ahead** 267:20	346:13 349:19
access 336:22	**actor** 404:2	**adopted** 352:16	318:20 320:4	395:16
337:6	**actual** 239:16	353:8	323:2 356:13	**amounts** 276:4
account 349:2	240:22 241:10	**adopting** 397:5	365:16 397:10	**analogy** 241:7
369:16 370:14	242:18 243:1	**adoption** 353:16,22	399:19 401:9	340:7
403:19	249:10 292:5	368:3	404:8	**analyses** 351:7
accounts 282:21	301:9 304:5	**advantage** 257:10	**aimed** 273:20	**analysis** 245:1
accrue 255:11	306:14 326:10	376:3 400:20	**albuterol** 343:1	252:19,21 253:8
268:15,18 388:20	327:7,13 328:14	401:4	**allegation** 258:15	254:3 258:11
accurate 296:10,12	329:6 331:14	**adversely** 268:14	**allegations** 341:15	260:20,21 264:6
achieved 401:5	332:15 333:9,20	**advise** 392:20	354:20 356:4	265:8 268:4
acknowledge	334:1,7 337:1,12	**advising** 393:20	357:4 388:22	272:14 285:8
360:19	337:20 374:17	**advisory** 304:17	392:16 396:2,2	286:13 287:5
acquire 250:18	378:5,6 383:22	**Aetna** 268:20	**alleged** 322:10	320:18,20,22
332:15	408:15 409:11	330:22 331:12	323:1,7,13 389:1	321:20 323:5,6
acquired 333:20	**Adam** 235:22	335:9,13	**allow** 315:14	353:14 354:8
acquiring 334:7	274:14	**affect** 253:12	339:13 340:19	355:19,20 357:21
365:14	**adapted** 267:14	269:16 347:17	341:7 400:2	359:18 363:21,22
acquisition 240:22	**addition** 243:17	**afforded** 331:3	**allowed** 333:15	366:17 369:5,14
241:3,11 243:1	**additional** 257:4	**afraid** 392:7	339:16	378:16
243:11 252:12	264:8 266:9,12	411:10	**allowing** 243:14	**analyze** 278:15
266:13 306:4,14	320:12 355:18	**afternoon** 350:12	341:7	**analyzed** 282:7,9
306:15 307:10	361:4,11,14	372:8,9 407:13	**allows** 339:20	**analyzing** 360:3
316:8 327:7,14	362:4 363:13	407:14	**all-else-equal**	405:12
327:18 328:7,14	**address** 253:22	**agency** 308:9,14	253:15	**and/or** 354:5
328:17 330:7,16	274:16	**ago** 238:17	**alter** 333:10	**annual** 248:13
	addressed 362:18	**agree** 238:1,12	**altered** 334:18	379:14

Meredith Rosenthal, Ph.D. CONFIDENTIAL February 23, 2006
Cambridge, MA

2

answer 244:20	267:21 287:22	265:14,22 266:2	363:12	averages 248:13
259:6 260:4	Argumentative	266:5 268:6	AstraZeneca-spe...	aware 239:15
264:20 290:16	370:21	272:17 273:6	362:9	240:22 242:4,7
302:5 304:9	article 328:21	281:12 376:19	asymmetric 308:22	242:19,21,22
340:14 354:9,10	329:5 332:22	379:14,18 384:14	340:8	245:19 261:5
355:15 361:2	333:2,7 346:4,6	389:11 392:4	attach 298:1	283:4,6 358:1
365:9 393:5	ascertaining 326:9	assertion 307:18	attachment 236:11	368:6,8 390:2
398:15 404:8	ASCO 243:18	336:22	236:20 291:9	396:4,8,12,21
412:5,11,12,13	asked 263:4 280:3	assess 348:17	379:2,3,11	409:17
answered 370:19	303:9 304:1,2,21	associated 347:4	380:11,15 384:18	awareness 288:21
answers 324:5	310:2 346:7	association 254:13	attempt 253:22	AWP 236:17
325:4	350:15 357:12	301:5 311:11	287:1 300:2	243:15 244:11
Apeel 233:10	359:7 370:6,11	assume 304:21	328:12 332:9	245:4,5,6,8,9,13
apologize 263:4	370:19 386:4	306:21 343:11	340:7 378:21	245:20 247:19
293:21	387:5 411:1	380:7 381:2,7	411:17	248:19 249:22
appear 273:22	412:17,18	400:5	attempted 283:20	250:6,17 252:8
298:12 326:17	asking 248:17	assumed 264:4,13	attempting 270:12	252:11 253:18
329:15 383:22	285:15 303:17,19	265:21 362:15	attention 275:9	254:9,19 255:1
appears 286:8	310:4 339:17	386:7 396:1	372:16 407:18	255:11,12,15,21
329:13 361:10	390:5	assuming 316:10	attorney 415:15	256:7,10,12,16,17
367:1,2 383:14	asks 303:21	354:19 357:3	attractive 402:15	256:20,21,22
appendix 308:4	ASP 244:7,10,17	363:3 391:21	attributable	257:6,13,16,19
apples-to-apples	245:6,8,22 246:7	401:21,22	252:17 321:17	259:10,17 261:5
305:21	246:8 247:18,20	assumption 265:12	322:4,5,20,22	262:22 266:18
applicable 342:9	248:6,20 249:10	266:7 270:21	323:9,12	268:14 269:17
application 344:13	249:17 263:3,7	271:2,5 307:1,3,5	attribute 320:8	272:10 275:14,16
applications	266:3,20,22	307:7 332:14	automobile 240:12	275:17 276:5
308:11	272:11 275:13,15	336:11,18 337:11	available 240:17	279:8,22 282:20
apply 260:22	278:10,12 279:8	344:1	289:19 303:1	284:20 285:1,4
375:12	282:12,21 283:11	assumptions	328:15,17,18	285:18 286:20
approach 253:9	283:15,19,20	279:14 326:13,20	334:9,11 349:8	287:13 288:1
265:17 284:6,11	284:2,8 289:22	336:4,9,17,21	364:5 365:1,12	289:10,21 295:14
290:19 337:16	296:3 361:20	363:1	365:17 366:5	295:22 296:2,7
appropriate	365:8 366:22	assuring 270:15	403:20	298:13 299:16
279:12 283:12	367:3 381:8	AstraZeneca	Aventis 235:18	300:2,10,11
319:2 369:1	385:1 387:17	233:20 256:7,10	Avenue 233:12,18	304:13,14,14
393:21	388:1,5 395:18	256:19 257:8	235:4,10	320:9 325:6
approximately	398:13 400:16	271:15 350:13	average 232:8	326:19 327:5,8
324:17 367:16	402:10,18,20	354:14,16 355:1	244:17,18 249:10	327:15 328:3
area 312:21 313:4	406:13 408:20	355:12 357:7	274:22 332:3	329:5,16 330:18
411:9	aspect 380:16	358:1,22 359:12	382:15,18 387:14	331:22 332:1,1
argument 267:18	ASPs 246:15	360:15,20 362:19	400:1	332:12 333:14

Meredith Rosenthal, Ph.D.   CONFIDENTIAL   February 23, 2006
                                    Cambridge, MA

3

334:16,18 337:8	back 245:16 270:6	274:16	benefits 266:20	brief 324:6,14
337:21 338:17,19	291:6 295:4,7	began 244:10	391:6,10	briefly 275:10
338:22 339:11	296:4 324:1,13	beginning 258:9	Berman 232:19	305:6
343:2,2,16 344:7	340:14 360:10	353:9 372:3	best 350:2 391:13	Brien 234:3
347:20 355:7	364:12 410:15	begins 284:17	406:10	Bristol-Myers
356:18 357:13,15	backup 351:5	behave 404:2	better 284:6,11	235:6 372:11
360:16,21 361:8	Bacon 235:15	behavior 318:22	402:6	379:4,13
361:11,14,17,18	bad 346:8 347:3	332:11 333:10	beyond 245:7	broad 268:21
363:13 365:4,13	348:15	337:10 388:17,21	bias 271:8 301:2	broader 394:13
366:14,22 367:3	Baranski 234:11	389:1 394:11,15	302:13 303:17	broadly 262:20
367:17 373:2,5	Barons 328:21	396:1 405:5,12	big 346:1 373:4	309:15 314:18
373:19 374:16	329:21 331:5	405:19	bill 274:7 324:3	327:11
376:10 378:9	332:22 333:2,7	believe 246:1,7	344:1,2	brought 255:17
380:12,14 382:10	barriers 315:12,14	248:1 251:13	billing 343:22	build 262:22
383:9,10,13,17	319:4	264:14 269:18,19	344:9,11	built 344:1
384:3 385:21	based 243:3 246:14	277:17 278:18	bit 381:11	bullet 254:7
386:12,17,19,20	248:19 249:16	279:21 280:1	Blue 302:11,14,17	Burling 235:9
387:2 388:11	250:13 255:7	283:11 284:17	411:12,18,20,22	Burnt's 391:11
393:22 395:17	256:15 259:14	286:6 291:16	412:5,10,15,21	business 274:16
398:12 399:10	266:17 272:10	296:12 300:22	413:1	316:13
400:9 402:9,18	278:18 283:20	301:14 302:6,14	BMS 236:17	but-for 321:20,22
405:20 406:3,11	285:8 291:21	306:17,20 315:9	373:13,19 378:8	323:4 345:18
406:13 408:5,15	300:21 307:3	319:6 340:10,11	381:22 384:12	buy 241:15 388:8
408:16 409:5,11	332:13 336:18	351:11 353:6	388:6 389:11	388:16
409:13,21	337:10 340:9	355:16 358:15	390:2 391:22	buyer 239:20
AWPs 246:14	343:1,6,11 344:7	360:11 363:12	392:2,5,8,20	240:13 390:15
247:17 248:5,9	367:17 386:10	371:3 374:3	393:10,13,20	buyers 306:18
249:16 265:15	393:8	379:21 381:4	394:5,19,22	buys 306:5,9
272:17 273:7	baseline 255:6	391:19 408:7	BMS's 395:5	
281:12 288:13	basic 264:10	411:3 412:1	405:13	C
392:10 393:19	basically 277:6	413:1,20	Bockius 234:12	C 232:14
394:2,14 402:11	398:11	believed 337:8	body 304:17	calculate 283:20
AWP-based 255:3	basis 246:10	346:18	Boston 234:7	284:8 316:21
333:22 334:2	248:16 249:5,5	Belknap 233:11	274:17	317:1
AWP-minus-30	249:12 285:3	benchmark 328:3	bottom 347:6	calculated 263:6
329:11	303:18 304:2	329:17 390:4	Boulevard 235:16	284:2 387:14
a.m 232:18 274:19	307:15 321:10	400:3	bounds 338:20	calculates 385:1
	331:10 333:4,8	beneficial 403:14	box 351:18	calculating 283:11
B	333:11 337:2,4,9	beneficiaries	brand 341:20	283:19 387:22
B 232:5 234:4	356:7 373:3	367:15 368:2,15	break 274:9 323:17	calculation 291:10
267:8 314:15	Bates 373:18 374:4	benefit 266:1,2,10	371:3 410:7	365:8 384:20
315:4 347:4,20	Batterymarch	349:11,18 410:20	breaking 324:8	392:3
353:5				calculations 321:10

Henderson Legal Services
202-220-4158

Meredith Rosenthal, Ph.D.   CONFIDENTIAL   February 23, 2006
                                   Cambridge, MA

4

366:3 407:2
call 389:17 411:19
  412:17
called 252:10
  311:11 382:1
Cambridge 232:21
  275:4
captured 325:21
care 305:7 307:20
  387:21 388:2
carefully 252:19
Carolina 353:10
carried 380:18
carriers 351:19
  352:15,20 353:9
  354:1 363:15
carry 342:21
carrying 342:12
cars 397:17
case 234:21 255:16
  262:20,22 267:22
  274:3 276:15
  279:16 281:22
  314:2 316:8
  317:21 319:16
  320:5 328:8
  329:20 335:17
  337:6 340:8
  344:14 348:5
  351:6 354:20
  355:1,13 356:2
  356:11 358:9,18
  359:2,8 363:5
  364:3,16 369:18
  370:3 405:16
  408:16 409:13
  412:5,16,22
  413:1,14
cases 272:8 337:4
  391:9,18 399:22
cassette 371:5
  372:3

category 253:15
cause 378:18 415:9
Cavanaugh 233:9
  236:4 237:8,11
  237:22 274:10
  275:5 290:21
  291:7 323:16
  349:21 350:15
  351:12 360:19
  410:8 411:1
  412:3,9 413:8,10
Cavanaugh's
  359:15 361:17
  364:2
caveat 252:5
ceased 258:20
ceiling 399:14
  401:14 402:5,12
Center 352:12,14
  353:1
cents 370:14
certain 247:16
  250:20 290:13
  360:13
certainly 238:14,21
  242:19 246:10,11
  246:17 247:2,5
  247:12 250:11
  251:2,15 252:1
  262:18 267:21
  269:1 273:6
  298:11 302:17
  306:9 310:9
  312:18 316:14,18
  329:10 334:14
  344:10 347:20
  359:22 365:17
  368:8 382:12,22
  386:8,13 388:9
  409:17
certify 415:6,14
change 239:11

246:8,9,14 248:9
249:11,16 253:11
254:14,20,21,22
255:13,16,19
264:2,15,21
265:1 270:19
273:4 331:9
346:1 349:15
362:3 380:12,14
380:19 396:5,13
408:4 409:13
changed 270:16
  274:4 349:10
  360:14 408:16
changes 247:17,20
  248:6 249:16
  258:1,13,13,17,20
  259:2,13 271:6
  282:20 286:11
  287:2 299:11
  349:15
changing 246:15
  246:16 247:17
  248:4,20 333:4
  357:4 375:15
chapter 308:8,13
characterization
  393:16
characterize 314:5
  360:12,15 362:8
characterized
  385:21 386:12
charged 266:15
chart 265:11 275:9
  275:13,15 277:10
  280:19 284:19
  290:6 291:20
  292:3 296:6
  321:13 323:11
  351:17,19 353:18
  360:10 361:6
  366:19

charts 254:13
  263:3 283:2
check 286:6 301:16
  302:9 358:21
  359:5,9 362:8
Chicago 234:20
choices 338:10,13
  338:15
choose 281:3
  341:20,21 342:20
chooses 343:15
choosing 257:5
  339:4
chose 271:20 281:5
chosen 334:17
chronic 276:20
chronic-use 281:7
Cigna 331:13
cite 251:13 260:2
  260:12,19 261:20
  261:22 262:3,4
  287:7,8 308:3,4
  354:12 359:11
  374:6
cited 308:13 358:14
cites 308:6 391:20
citing 354:21 355:2
  356:3
citizen 393:1
City 235:17
CIVIL 232:4
claim 267:22 320:8
claimed 267:11,14
claims 333:12,13
class 232:12 263:1
  265:3 268:15
  281:2,8 305:10
  315:5 335:5
  345:13 356:15,15
  358:2 364:18
  365:3 366:13
  368:14 369:5,17

370:2 377:19
378:1 393:10
408:14 409:11
412:4,15,22
413:13,17,19
classes 284:3
clear 238:4 247:15
  277:20 322:2,6
  325:10 339:19
  379:20 387:1
  398:16
clearer 309:5
clearly 296:1 320:5
  320:10 393:15
client 354:14
clinic 250:21
Clinical 314:3
clinics 244:14
  283:21 319:17
close 299:4
clue 254:18
clues 254:8,10
codes 248:1,5
collect 347:11
collecting 325:16
come 240:11
  311:19 387:20
  393:2
comes 257:17
  353:1
comfortable 303:7
  395:19
coming 341:4
  393:1 394:7
comment 323:3
commercially
  324:18
commission 414:22
  415:22
committed 354:22
  356:2 384:15
common 282:1,3

Meredith Rosenthal, Ph.D.   CONFIDENTIAL   February 23, 2006
                                    Cambridge, MA

5

390:16	285:17,18 287:14	conduct 263:20	consumers 266:1,3	373:16
Commonwealth	288:1 289:20	323:1 336:18	266:3,15,16	**Corp** 234:8,8
415:1,5	311:14 345:9	404:16 405:13	268:18 348:18,19	**corporate** 392:22
communicated	355:4,6 393:18	**conducted** 334:12	349:3 403:14	**Corporation**
314:7	398:10 400:20	**confidential** 391:4	**contact** 412:10,14	234:15
communications	401:4,15 404:6	**confined** 369:20	**contacted** 302:1	**correct** 237:21
413:12	**complaint** 323:1	**confirm** 286:17	**contacts** 240:4	238:20,22 243:2
companies 259:1	350:20	**conform** 363:9	**contains** 263:3	245:22 246:16
289:7 330:2	**complete** 262:10	**conforming** 326:16	**context** 255:2	247:18,20 248:18
335:2 358:5	365:6,6	**conforms** 394:17	258:4 313:16	248:20,22 249:13
company 261:9	**completely** 270:1	**confounding**	325:20 359:6	261:16,19,21
287:18 335:10,14	**concealed** 240:19	362:15,19 363:4	388:18 389:6	262:2,6,7 263:5,8
362:9	**conceptual** 321:10	**confusion** 413:20	405:20	264:6 265:7
comparable 330:3	**concern** 314:7	**Congress** 314:7	**continue** 361:3	266:18 270:10,11
408:21	**concerned** 303:5	**Congressional**	408:22	273:8,14 275:19
compare 281:14	**concerning** 415:8	313:17	**continued** 332:12	277:8,9,12,16,19
282:17,19 410:1	**concerns** 289:21	**connection** 354:16	334:15	280:6,11 286:2,5
compared 282:20	328:1	**connotation** 356:22	**continues** 242:1	286:6,8 287:6
298:22 380:9	**conclude** 258:9	**consider** 239:3	294:18	288:15,16 290:4
385:4,6	289:17 340:20	276:15 298:19	**continuous** 278:22	290:5,6,9,12
compares 408:10	377:22 378:1	304:12 329:21	**contract** 308:11	291:20 292:8
Comparing 378:14	393:17	356:20 357:20,22	337:4	293:9,10,18
comparison 369:9	**concluded** 319:20	364:4,15,20,22	**contracting** 308:17	294:1,3,12,13,16
comparisons	332:14 365:18	365:10 368:21	337:9,12	294:17,22 295:6
305:21	367:14 377:19	369:1	**contracts** 243:4,7	295:9,10 299:5
compensated	**conclusion** 273:17	**considerably** 319:7	303:20 309:9	299:16 300:2,20
256:15	273:18 317:6	**consideration**	**contractual** 348:22	302:10 307:2
compete 257:11	319:13 330:5,18	307:9 347:14	**contradict** 288:19	313:11 315:22
317:15 318:15	348:4 352:6,8,22	348:15 368:13	289:5	318:17 320:1
361:4 401:19	354:22 356:4,9	**considered** 328:19	**contradicted** 288:7	321:5 325:11,13
402:14	363:15 368:20	338:15 365:17	**contributed** 251:20	334:18 343:3
competing 376:16	377:14 378:15	403:4	253:5 254:1	345:1,2 350:17
400:14 405:9	**conclusions** 256:5	**considering** 388:22	320:16 323:7	350:18,19,22
competition 255:7	274:5 285:7	**consist** 406:20	**contributes** 320:10	351:1,8,9 354:6
256:17 317:3,4	287:5 316:22	**consistent** 258:14	**contributes** 320:10	354:17,18 355:1
317:13 318:4,10	321:2 332:17	287:18 295:21	**conventions** 245:19	356:5,11 357:5,6
318:13,18 319:1	337:2 364:3,15	374:5 394:14	**convey** 382:8	359:12,13 360:22
319:12,21 375:12	367:11 368:11,14	395:18 405:5	**Conwichicut**	361:6,10,13,20
401:10 405:6,7,9	369:15	407:4	234:21	363:5,16,18
competitive 255:1	**conclusive** 391:8	**consistently** 295:14	**Cook** 235:22	364:8 369:18
255:14 258:13	**conditions** 265:2	**constant** 263:19	274:14	370:20 373:10,11
265:2 285:2,5,17	282:3 330:15	**consumer** 266:10	**copy** 291:15 324:11	374:10,11,21,22
			367:21 372:13	

Meredith Rosenthal, Ph.D.   CONFIDENTIAL   February 23, 2006
Cambridge, MA

6

375:3,6,7,14,22	365:2,20	cross-subsidies	350:3 414:11	320:15 328:11
376:7,8,10,11,14	couched 395:20	268:15	415:19	335:15 348:15
376:15 379:18	counsel 289:6	cross-subsidizati...	DC 235:11	deliberate 285:2,4
381:2 383:10,13	415:15	267:9,12,13,17	deals 308:9	285:5,18
384:9 385:2,3,5	counsels 410:20	Cross/Blue 412:1	Deborah 232:22	delivering 342:19
385:16,18 387:15	couple 303:15	413:2	415:4,21	delivery 286:1
387:16 390:17,18	324:10,14 329:18	current 246:17	debt 346:8 347:4	demand 239:11
390:21 401:16	350:14 351:12	255:22 315:14	348:15	399:12
403:10 404:6,19	course 251:17	381:20 382:6	deceive 393:10	demands 268:7
411:6 413:11	348:18 349:12	413:19	404:4,12	demonstrate 365:2
correctly 331:11	400:9	currently 247:22	deceived 356:8	demonstrates
336:19 354:12	Court 232:1 275:1	333:14 352:13	December 291:18	258:12
correlate 370:8	coverage 349:12,19	413:21	379:5	depend 342:21
corresponding	covered 313:3	customers 244:21	decision 340:18,20	403:1 406:15
239:8 266:14	324:16 349:6		340:22 341:2	deposition 232:16
292:21	353:15,15,16,21	**D**	342:16 355:5	237:16 258:22
corroborate 355:20	covers 242:8	D 232:14	decisions 287:2	259:13,15 260:13
cost 247:6 309:10	Covington 235:9	daily 246:9 248:14	354:17 362:10,21	260:13 261:22
311:1 313:7,8	co-insurance	249:6,8,11	decision-makers	262:5 274:20
316:12 317:16	349:13,19	damages 291:10	341:13 359:12	275:3 358:21
328:10,17 330:22	co-pay 347:12,19	367:7	362:18	372:4 410:22
331:10,21 332:5	co-pays 346:8	data 243:10,12	decision-making	411:2 414:4
332:7,10 333:7	347:4 348:15	246:5 248:13	336:5 405:10	415:12
333:18 334:5	CRA 235:21	250:5 254:8,12	decline 244:11	depositions 259:4
339:2,6 343:17	create 398:11	256:8 258:12	declines 245:8	describe 320:17
356:18 364:6	created 302:13	272:15 273:6	decreased 349:18	described 240:21
373:5 374:17	405:11	280:16 281:18	defendant 262:6	378:22 384:10
costly 255:9 330:9	creates 273:19	282:10 297:20	288:6 289:7	design 264:10
332:15,21	400:21	303:1 304:20	defendants 254:9	270:22 362:13
costs 239:2 243:11	creating 257:3,4	328:15,17 338:21	258:21 259:19	363:1
252:12 266:13	401:6	344:16 347:3,17	262:2 287:7	designed 368:9
267:10 306:15	criterion 276:18	351:5,7 355:11	288:2 351:6	despite 319:21
307:10 316:6,9	cross 236:3 268:2	361:7 363:8,19	355:22	detailed 280:16
316:15,16,19	268:17 302:11,14	364:5 365:1,5,12	defendant's 393:16	282:13
327:7,14,18	302:17,18 411:12	365:22 366:1,2,3	defined 243:5	determination
328:2,7,14 329:6	411:18,20 412:5	366:5,7,8,15,21	245:6	239:5
330:7,18,19	412:10,15,21	368:12 377:21	defining 243:10	determine 252:21
331:1,14 332:2,3	cross-elasticities	378:12 380:22	definition 251:8	253:4 265:13
333:9 334:1	267:2	date 347:2 360:13	316:1,3 369:19	271:9 272:15
336:12,16 337:1	CROSS-EXAMI...	360:20 361:7	397:14	286:9 328:6,12
337:7,12 340:10	350:9 372:6	380:12 381:3	deflation 408:19	332:7 348:12
344:5 355:4	407:11 410:16	Davis 233:17	degree 251:9 313:9	363:3 377:4
		day 248:8 274:20		

Meredith Rosenthal, Ph.D. CONFIDENTIAL February 23, 2006
Cambridge, MA

7

determined 320:14	**discount** 241:19	320:9	289:11 290:2	336:21 352:8
321:6 333:21	257:1,9,12,18	**discussion** 284:17	308:3 354:13,21	**drawn** 337:2
determining 280:4	334:16 366:9,11	315:12 410:13	355:2,8,10,18	**drew** 378:15
306:14 307:10	385:10 387:3	411:11	356:3 357:10,12	**drive** 234:19
338:10 343:20	388:7,15 391:13	**disparity** 374:16	357:12,18 358:16	260:10 309:9
device 255:2 261:6	391:14 397:3,14	376:4 382:14	358:18 359:1,6	310:22 313:6,8
difference 276:16	400:8 409:3	**disseminated**	359:10,11 362:9	**driven** 289:20
277:3,21 278:3,8	**discounted** 240:18	246:18	**doing** 247:1 257:2	361:21
278:16,20 280:7	384:12 389:8	**dissipate** 311:1	299:22 329:20	**driver's** 237:4
321:22 343:8	392:11 395:18	**dissipated** 327:4	**dollar** 276:4 277:20	**driving** 261:6
397:14 398:12	400:1	**distinguish** 394:12	**dollars** 267:15	**drop** 353:7
408:22	**discounting** 240:14	**distributing** 342:13	276:6 278:1	**dropped** 294:16
differences 252:7	332:1 385:18	**distribution** 244:19	368:4,17 370:13	**drug** 246:8 249:11
different 240:9,15	395:13	340:10 352:2	400:17 403:3	250:18 256:3
241:12 256:20	**discounts** 242:2,11	**distributors** 272:8	**Dove** 235:8 236:7	267:10 271:15,19
302:15,18,20	242:11,15,20	**District** 232:1,2	407:12,15 410:5	276:20 281:1,7,9
310:11 312:4,7,7	243:2,6,18,19	275:1,2	**dozen** 330:12	281:10 284:21
329:16 382:19	250:17 257:11	**diverge** 409:1	**Dr** 237:9 238:1	294:5 296:8
389:16 390:10,19	282:8,13,18	**divergence** 245:6	263:7 274:4	304:4 316:9
407:7	306:22 360:22	**divulge** 248:14	275:6 277:12,16	341:18 342:13,17
differently 392:5,8	361:4,19 363:13	**DME** 272:8	279:15 283:19	346:1 347:19
393:4	364:7,17,21	**Doctor** 263:6	290:11 291:9	349:11,16,18
difficult 246:14	365:4,7,13	333:20 349:22	293:4,8 294:11	369:22 373:7
247:3,5 271:5	366:14 373:4	351:10 413:11	294:19 295:19	399:12
328:6 330:1	387:20 388:10,12	**doctors** 342:3	296:11 298:17,19	**drugs** 247:21
difficulties 325:16	388:20 390:22	**document** 232:11	300:5 320:20	248:10 251:5
difficulty 307:14	391:2,4,9,18	260:12 345:22	321:6,9,19 322:2	253:15 255:15
328:11	394:9 396:6,14	355:6 357:8	322:17 324:4	259:8,11,21
direct 236:3 237:7	397:1,21,22	373:13,17,22	329:11 337:15	260:1,22 261:1
269:8,8 306:11	398:7,18 399:21	374:1,3,9,15,18	350:12 354:11	263:21 265:15
372:16 382:3,7	**discovery** 261:11	375:1,2,18 377:6	364:7 367:6,10	272:2,9,10,20
407:18	261:17 358:13	377:8 380:9,13	372:8 378:12,13	273:2,5,13,16,21
direction 296:21	**discrimination**	383:2,15 384:2	378:14 379:2,4	274:2,5,6 279:14
327:20 349:11	390:14 391:6	384:10 406:7	380:11,15 383:19	281:13,21 282:2
407:7	392:12	**documents** 259:15	384:20 386:2	282:4 283:13
directly 306:6,10	**discuss** 263:21	259:18 261:4,4,7	387:7,13 388:1	285:7,10,11,14
318:7 330:19	369:21	261:9,10,12,15,18	391:11 392:3	286:22 287:3
disagree 348:9	**discussed** 248:16	262:3,9,15,19	397:1,3,5 403:4,9	302:21 306:3,19
391:11,17	285:12 306:16	286:3,4 287:7,8	407:1,13 410:18	309:14,20 310:13
disclosed 262:17	389:16 390:12	287:16,18 288:7	**draft** 410:21	315:4 319:19
discontinuous	**discussing** 239:10	288:10,12,16,18	**draw** 256:5 275:9	325:1,4 327:22
279:1	244:7 289:8	288:21 289:4,8	319:13 332:17	328:8 330:8

Meredith Rosenthal, Ph.D.   CONFIDENTIAL   February 23, 2006
Cambridge, MA

8

338:19 340:16	285:20 286:15,16	332:8,22 333:1	equal 252:1,4	event 263:17 264:7
342:9,22 343:6	305:9,12 307:3	344:3 412:10,14	264:5,13 265:21	264:10,11 265:10
344:2 345:6,17	315:21 316:1,5	413:3	270:21 290:14	286:16 300:3
348:6,14 375:11	316:11,15,18,21	either 256:2 268:4	294:7 345:7,12	348:7 362:16
376:16 399:22	319:5 338:4	354:5 359:20	362:15	378:10
400:3 402:8	342:1 348:11,12	361:22 363:12	equilibrium 338:5	events 263:10,12
407:1 409:22	355:11,19,20	376:21 377:4	equivalent 332:2	263:13,15,20
drug-related	359:17 362:22	378:2 384:9	381:22 383:12	264:1,3,19 265:8
347:12	370:6,8,13	elastic 390:15	Esq 233:3,9,10,16	265:14 270:6,9
due 322:11	378:16 389:3	electronic 241:9	234:3,4,11,17	271:4,10,11
duly 237:5 415:8	391:3,5,10 392:9	246:19 247:12	235:2,8,14	285:11 299:9,13
Dyckman 243:8	395:10,22 396:1	electronically	essentially 245:5	299:22 360:12
300:17,18,21	396:12,16,17,21	246:16 247:2	270:22 303:21	362:7,13 363:2
301:5 303:21	397:8 398:4	electronics 241:15	308:16 314:8	eventually 401:15
324:8 325:11	399:8,16 403:17	element 308:7	325:3 338:9	evidence 267:7
338:21	404:2,3,10,14,18	elements 245:4	405:10	269:22 270:4
	405:4,12,19	Ellis 234:18	establish 321:2	278:19 285:16,19
——— E ———	economically 238:8	empirical 254:8,10	376:13 381:15	300:10,11 307:4
E 232:14 234:17	345:14,15 394:11	254:18	387:6	321:1 339:16
372:1,1	403:13	employed 375:22	established 279:15	406:12
earlier 247:12	economics 308:15	415:15,15	350:16	evidentiary 363:5
262:17 285:12	317:3 390:13	employer 242:13	establishes 396:22	evolving 245:22
311:15,18 319:6	economist 289:17	enjoy 315:15	establishing 380:20	exact 247:6
324:5 348:10	322:18 332:4	entered 264:16	384:7	exactly 259:5
350:19 351:12	390:7	397:21	estimate 332:9	340:22 341:6
362:12 386:14	economy 263:15	entire 298:22 299:1	346:19 348:16	378:21 389:1
early 273:3 317:5	390:17,19 391:19	299:2 309:22	estimated 394:21	406:21
381:5 411:1	Edwards 235:2	400:9	ethically 238:6,8	exam 335:20
earn 266:5	236:6 372:7,10	entirely 329:14	393:21	examination 236:3
earned 252:22	effect 253:10,18	entities 250:14	Etopophos 373:17	237:7 285:20
254:2	255:19,21 263:16	301:22 302:11	375:2,5,9,15,21	378:17 413:9
earning 252:10,13	270:13 271:12	entitled 345:22	376:13 380:21	415:11
easily 311:16	273:22 321:3	373:17	381:1,3,16	examine 282:11
378:18	361:19 368:12	entity 242:3 359:20	383:16,21 384:1	331:2
East 234:19	378:18	entry 254:13 271:6	384:3,8,13	examined 237:5
economic 239:14	effective 314:10,12	311:12 315:12,14	385:20 386:1,11	252:18 254:12
239:22 240:2	effects 280:22	319:4	387:9 392:4	259:3,9 272:17
244:16 250:13	305:9,12 311:1	environment	393:11 394:20	273:2 281:12
253:9 260:20	319:3 369:20	255:14 258:14	395:1,4 405:14	282:10 289:11
262:22 264:4	391:19 408:21	264:2 273:19	405:17,22 406:4	310:13 337:10
265:17 270:18	effort 286:9 295:22	289:18 313:18	etoposide 381:18	357:11 378:5
272:6 273:17	299:15 331:4	355:4	evaluation 263:13	387:22 415:10
278:19 285:8,9				

Henderson Legal Services
202-220-4158

Meredith Rosenthal, Ph.D.   CONFIDENTIAL   February 23, 2006
                                   Cambridge, MA

9

examines 270:19
  320:22
examining 263:16
  265:4 363:8
example 240:11,13
  241:6,9 252:8
  258:3,19,19
  264:16 267:1,7
  268:20 271:7
  276:11 281:5
  288:13 312:19
  322:19 364:16
  373:12 377:6
  385:20 386:11
  403:8,11 405:22
examples 240:7
  259:19 263:22
  271:20 280:21
  287:9,12 289:13
  357:13 373:9
exceed 316:8 398:8
exceeded 387:8
excerpt 379:2
excess 249:22
  250:2,6,9 252:14
  252:16 315:15,20
  317:6,11,17
  318:1,11,16,19
  320:2,7,11,16
excessively 330:21
excluding 307:14
exclusive 307:21
excuse 273:4,11
  327:9,19 380:22
  385:6 402:17
Executive 236:15
  345:22
exhibit 236:11,14
  236:17,20 291:3
  291:8 328:20
  329:1 345:19,21
  353:5 373:16,16

373:20 379:1,6,8
  380:17 383:3,10
  383:19 384:18
  399:3 403:18
  405:21
exhibiting 318:22
EXHIBITS 236:10
exist 279:18 289:1
  305:7 317:11
  320:2
existence 273:18
  339:8 349:17
  352:10
exists 282:2 321:7
  343:13
expect 313:6,8
  401:14 404:2,5
expectation 242:14
  243:10 245:7
  250:16 329:12
  331:22 340:2
  395:8
expectations 243:5
  340:13
expected 244:18
expense 241:20
  281:9 394:17
expensed 241:21
expensive 281:6,10
experience 311:22
experiment 263:14
experiments
  378:17
expert 271:18
  286:15 359:19
  360:6
expire 414:22
expires 415:22
explain 337:17
  367:6,10 405:13
  406:6
explicitly 374:15

explore 249:14
  279:19
explores 374:19
express 329:6
expressed 329:10
extend 268:6
extent 244:13
  247:1 248:6
  252:15,16,21
  253:4,22 256:1
  265:14 266:21
  267:16 278:15
  283:13 286:22
  306:5,9,13 307:9
  313:3 316:20
  320:14,21 321:6
  344:3 345:2
  376:18 384:12
  395:12
extract 251:4,11

_____

F

F 232:14 233:9
  372:1
faces 240:13
facing 354:15
  355:12
fact 237:16 279:7
  297:3 298:1
  310:16,18 317:2
  319:14 361:15
  363:6 364:4
  368:1,13 384:12
  392:13
factor 304:14
  314:17 315:10
  320:12
factors 250:13,19
  253:12,17,20
  271:1 282:21
  312:22 315:6
  322:5,12,21
  362:14 363:4

factual 304:4
fact-based 303:16
failures 305:7,10
fair 274:1 287:15
  287:21 303:10,12
  316:4 385:22
  405:4
fairly 243:3,5
fall 290:10
familiar 263:9
  271:15 344:10
  346:4,5 359:16
  360:3 367:13
  368:1 374:4
  389:3
far 238:7 247:2
  267:22
favorable 293:16
feasibility 247:8
feasible 328:12
feature 372:22
February 232:17
  274:5,18 415:6
  415:19
federal 364:21
fee 269:6 312:2,3
fees 251:21 266:14
  267:1,10 268:7
  268:22 269:3,4
  269:11 309:17
Figlot's 391:15
figure 298:6
filled 342:18
final 315:7
financial 279:18,21
  294:4,10,15
  342:7 374:17,20
  375:5,17,20
  377:15 378:20
financially 415:16
find 287:18 288:4
  289:12 300:4

357:17 397:12
  402:6
findings 254:4
  285:13
finds 367:7
fine 350:8
firm 340:8 396:19
firms 340:5
first 258:18 261:10
  295:8 347:7
  353:16 373:12
  376:4 380:22
  382:11 399:7
  402:2
five 238:17 292:14
  294:20 295:18
five-year 275:18,21
  277:4
flat 361:10
floor 398:21
Flynn 233:16 236:5
  350:4,10,13
  370:22
focus 409:5
focused 265:10
focusing 366:20
folks 303:8
following 293:7
  294:14 375:21
  378:10
follows 237:6
follow-up 350:14
  412:20 413:8
footnote 353:7
forced 337:3
forces 398:10
  401:15
forget 329:3
form 246:19 280:2
  313:17 324:22
  341:18,21 405:20
forming 262:16

Meredith Rosenthal, Ph.D.　　CONFIDENTIAL　　　February 23, 2006
Cambridge, MA

10

forms 283:6
formulating
　261:18 347:15
forth 261:19
　262:12 273:15
forward 262:10
　300:7
for-profit 335:20
foul-up 237:13
found 248:16
　287:16 288:7,10
　303:5 327:2
　328:16 372:19
　387:8
four 292:14 294:20
　323:13
frame 270:9,16
　271:11
fraud 322:10 323:7
　323:13 354:20,22
　356:2,7 396:2
　405:6
fraudulent 388:17
　389:2
fraudulently
　392:18
frequency 245:20
　246:2 247:17
　248:4,19
frequently 238:13
　249:2,17
front 346:17
　372:14 374:12
　379:8 391:22
　393:9
function 279:7
　321:7
further 324:5
　349:22 407:9
　410:5 415:14

_____ G _____
G 235:8 379:2

gain 255:10 256:22
　400:20
gained 394:19
gaining 394:16
gather 328:13
　330:6,6
general 238:10
　265:19 273:18
　282:11 331:22
　338:4 356:16
　394:18
generalize 274:6
　281:21 282:5
　351:2
generalized 272:2
generally 246:19
　264:11,18 275:13
　339:15 390:9
generate 285:21
　318:19 333:15
　403:11
generated 318:3
generic 341:18,21
　341:22 342:9,14
　342:19,22 343:14
　343:15,16 344:5
　344:20 345:6,10
generics 342:3,4,20
　344:8
getting 300:9
　352:17 365:21
　386:15 393:7
give 240:7 249:19
　251:3 258:3
　308:12 312:22
　348:1 373:9,12
given 276:19
　302:15 303:6
　326:18 328:1
　331:15 399:21
　403:22 405:11
　415:13

gives 241:17,19
giving 361:19
GlaxoSmithKline
　235:12 407:16
go 238:15 241:17
　241:20 245:16
　265:7 267:19
　270:15 285:1
　286:18 290:21
　292:14 296:4
　307:13 318:20
　320:4 321:12
　323:2 324:5
　327:3 340:14
　356:13,14 360:3
　361:8 365:16
　367:1 397:10
　398:19 399:19
　401:9 404:8
　410:9 413:6
goes 293:7,11
　295:1,4,7 322:14
　327:19 367:3
going 274:8 279:11
　292:2 295:17
　325:2 333:17
　343:20 350:4
　360:10 401:2
　407:8 408:18
　410:20 413:22
good 237:9,10
　287:9 350:12
　372:8,9 385:20
　386:11 392:22
　407:13,14
goods 310:7
gotten 331:13
Grand 235:16
graph 407:21 408:4
　408:9
Gray 234:5
great 307:14

greater 252:2
　277:18 290:15
　313:2 360:22
　361:19 364:7,17
　395:16 397:7
Greylock 357:19
groceries 238:16
group 268:21
　269:13 312:11,13
　312:13
groups 250:21
　251:10,20 319:15
growing 376:4
guess 348:4 352:17
　381:6 396:15
　398:7 409:2,15
guild 311:10
G.2 236:20 379:3
G.2.A 384:18
G.2.B 379:11
　380:11
G.5 236:11 291:9
G.5.C 292:16

_____ H _____
Hagens 232:19
half 299:4 330:12
　348:6 352:3
hand 250:15
　415:18
Handbook 308:14
happen 238:13
　242:11 377:17,18
　377:22 397:8,20
　398:3,11,17
　399:20 404:5
happened 249:18
　264:15 297:6,16
　373:10 406:5,15
　406:18,20 412:19
happens 263:14
　297:12 338:6
happy 281:18

384:16
hard 277:17 348:8
Hardy 235:15
harm 368:14 369:5
　369:19 370:1,6,8
　370:9
harmed 369:18
　370:3 377:20
　378:2
Hartley 411:4,8,9
　411:14,22 412:18
　413:17
Hartman 263:7
　274:4 279:15
　321:6 367:6
　383:20 387:7,13
　388:1 407:2
Hartman's 277:12
　277:16 283:19
　290:11 291:9,10
　291:21 293:4,8
　294:11,19 295:19
　298:17 300:5
　320:20 321:9,19
　322:2,17 329:11
　337:16 364:7
　367:10 378:12,13
　378:14 379:3,4
　380:11,15 383:19
　384:20 386:2
　392:3 397:1,3,5
　403:4,9
Hartson 235:3
HCFA 352:13
　353:8
head 250:12 301:17
heading 261:11
health 303:19
　308:15 317:2
　319:22 335:9
　356:17 411:3
healthcare 236:14

Henderson Legal Services
202-220-4158

Meredith Rosenthal, Ph.D.   CONFIDENTIAL   February 23, 2006
Cambridge, MA

11

307:19 317:4
345:22
hear 348:21
heard 350:3
held 410:13
Helen 234:17
help 381:10
hereinbefore 415:7
hereto 415:16
hereunto 415:18
Hi 407:17
hide 320:11
high 330:21 399:11
higher 241:21,22
251:4,11 252:2
252:11 268:7
319:8,14 403:6
403:10
history 395:5
Hogan 235:3
hold 263:18
horizon 263:18
hour 274:8
hundred 249:22
250:6,9 267:15
338:22 391:16
400:17
hypothetical
399:19

I

idea 270:14 404:13
ideal 246:1,6
ideas 325:21
identification
291:4 345:20
373:21 379:7
identified 237:3
261:15 265:11
315:3 322:8,9,13
identify 263:16
identifying 265:12
ignored 287:19

Illinois 234:20
411:9 412:1
illustrate 280:22
288:17 289:13
377:8 378:19
illustrated 357:14
illustrative 321:14
354:14 355:10
imaginary 402:4
imaginary-litigat...
401:22
impact 256:2
271:12 327:4
348:17 370:12
impacted 263:1
265:14
imperative 395:10
imperfect 305:13
337:5
implement 351:19
363:15
implementation
351:13 352:9,18
360:13 363:14
implemented 256:6
352:4,15,20
377:12 378:4
384:9 403:5
implicated 353:22
implication 348:19
397:11 406:19
implications 281:7
285:13 351:13
imply 297:9 310:21
importance 337:14
377:15
important 252:6
269:15,19,20
281:8 288:8
304:17,20 311:3
313:5 377:4,10
imposed 399:15

IMS 328:16 364:16
365:1,22 366:1,5
366:7,7,15
389:18
inability 311:16
incentive 254:21
255:3,4,6 256:18
257:18,19 272:9
272:12 273:17
278:21 279:3,6,9
279:21 293:17
294:4,10,15
330:14 342:1,7
343:12 374:18,20
375:5,17,20
377:15 378:20
393:13
incentives 255:17
255:19 260:21
272:6 273:21
279:18 280:22
285:9,21 289:18
342:8,8 354:15
355:12,19,21
360:14 377:20
378:16 392:10
393:17 396:1
404:16,20 406:8
incentiving 342:3
include 243:22
283:12 316:5,12
316:16 361:18
369:20
included 283:15
284:2 301:14
388:1
includes 351:7
including 243:18
262:2 284:3
285:22 311:15
328:16 341:14
inclusive 288:5

income 251:16
319:7,18 320:11
incomes 319:14
incorporate 264:7
incorporates
300:18
increase 238:9,19
239:6,13 257:16
260:18 272:12,13
284:20 289:16
290:4,7 293:18
295:13 296:7,13
296:16,17,18
297:2,5,7 298:8
299:3 357:16
361:5 363:13
373:1 386:18,20
399:11 401:16
408:9 409:6,21
increased 259:22
increases 238:3,11
238:13 256:13,14
257:8 259:10,16
260:6,9 282:18
288:15 289:9,20
401:11,12 410:1
increasing 239:7
260:11 297:15
Incredibly 399:19
incremental 253:10
253:18 362:6
independent 386:9
independently
269:7
index 236:1 251:16
indicate 280:5
indicated 245:18
246:12 249:9
311:18 346:11,12
indication 264:15
indications 264:9
264:21

individual 286:18
338:6 344:9
347:19 348:5,7
349:3
individuals 303:17
326:5 340:5
industries 396:7
industry 232:7
274:22 392:1
396:4
infer 338:7
inflate 285:18
295:14,22 298:12
299:15 300:2
393:18
inflated 245:3
269:17 296:2
320:9 360:21
402:8
inflation 238:22
245:5,9 253:19
254:9,19 255:1
263:1 268:14
285:2 288:2
300:10,12,13,14
327:5,8,15
347:21 355:7
360:16 361:11,15
361:18 362:4,6
385:21 386:12,18
387:3 402:9
405:21 408:10,17
409:14,18 410:1
influenced 278:16
315:10
information
240:17 242:17
243:13 244:2
249:19 260:3
280:14 283:1
286:19 305:13
308:22 310:14

Meredith Rosenthal, Ph.D.   CONFIDENTIAL   February 23, 2006
                                   Cambridge, MA

12

326:8 327:17,22	intense 313:18,21	isolate 309:21	keeping 273:13	378:19 415:9
328:2,10,13	intent 295:13	isolating 309:12	391:4,9	Kodroff 233:4
329:22 330:3	298:12 404:4,11	issue 253:22 309:12	kept 265:9	Kytril 254:14
331:8,14,21	intentions 339:7	328:8 397:4	key 341:13	258:18 263:22
332:16 333:19	interact 404:11	issued 314:6	Kim 234:4	264:16 271:7
334:8,13 337:5	interested 415:16	issues 276:14	kind 240:15 333:1	
338:14 340:9	interim 297:6,12	362:18	389:1 405:7,9	——— L ———
349:2 353:1	297:17	item 241:9,20	408:19	L 232:14 415:4
365:18,19 366:9	intermediaries	242:6	kinds 304:22	lack 300:10,11
366:11 378:19	240:22	items 238:16	314:19	319:11
386:10 391:21	intermediate		Kirkland 234:18	language 355:17
393:8 403:20	239:20 240:6	——— J ———	knew 241:2 327:7	large 306:21
413:13	241:10 392:14	James 235:14	know 238:7 240:2	307:20 311:13
initial 283:19	internal 259:14	January 351:20	240:8 241:3,10	312:21 319:17
291:13,21 388:5	260:13 261:9	352:19 354:1,6	242:5,9,10,17,22	331:12 335:14,18
injectable 319:19	286:4,10 287:7,8	361:7,12 362:11	266:21 267:13	largely 313:19
injection 342:19	288:7 289:8	Jason 234:11	269:9 271:1	larger 313:4
381:18 382:7	290:1 336:4	job 241:16	274:3 283:8	402:21
injured 345:14,16	International	John 233:3	288:18 289:1	largest 330:2
347:20	234:6	Johnson 233:14,14	290:16 291:15	late 381:4
inquire 334:20	interpret 297:21	259:7,8,20,20	301:7,9,12 302:2	launch 373:17
inquiring 378:3	397:2	260:14,14 261:15	302:5 303:9,22	381:3,6,7 405:22
inquiry 253:3	interpretation	261:15 262:2,2	304:2,5,7,13	launched 381:4
inside 396:19	323:3	286:21,21 287:1	305:4,5 320:21	law 396:20 397:11
insignificant 276:8	interrelationship	288:12,12 289:15	324:19 326:4,13	399:15
instances 312:16	269:3,11,15	289:15,19,19	333:6 334:15	lawyer 407:15
institutions 285:21	intervention	290:2,2	335:22 336:1	layman's 356:20
instrument 287:14	370:17	Johnson's 287:1	339:7 340:22	LCA 256:6,10
insufficient 365:19	introduction 369:6	Jr 233:9 235:8	343:19 344:2	257:16 258:20
insurance 330:2	388:6	judge 232:5 391:1	358:17 362:17	351:14,19 352:9
335:1 349:9	introductory 388:7	397:4,21	366:12 376:21	352:10,18,20
insured 324:18	388:12,15 394:9	judgment 326:19	378:8 387:7,17	353:8,15,16,17,22
insurer 330:13	Intron 284:15,21	331:6 386:5	387:19 389:11,15	354:5 360:13
331:12 335:9	285:6,16 286:12	judgments 326:14	392:21 394:19,22	362:8 363:15
348:20	290:7 291:11	jurisdictions	395:2,3 412:19	367:12 368:3,8
insurers 330:5	296:8 299:14	367:15	knowing 241:22	368:15
334:2	investigate 287:1	justifications 391:3	242:9	lead 317:3 325:15
integrates 308:17	invoice 254:8	justify 405:1	knowledge 242:21	leaves 325:7
intend 339:5	258:12 366:3		269:7 271:14	leaving 361:18
intended 287:11	involve 402:2	——— K ———	289:4 306:3,10	left 324:13
323:4 393:10	involved 273:10	Kansas 235:17	327:4,13 335:16	legal 274:14 356:6
intending 341:7	irrelevant 303:5	keep 238:22 239:2	337:15 363:11	356:9,22 369:19
		245:21 273:12		370:1,4,8 392:17

Henderson Legal Services
202-220-4158

Meredith Rosenthal, Ph.D.   CONFIDENTIAL   February 23, 2006
                                    Cambridge, MA

13

396:2 400:6
404:9,12,22
405:1,3
legally 238:6,8
let's 254:17 280:13
   284:15 292:20
   296:4 321:12,13
   344:16 378:6
   400:11,13,16,19
   410:9
level 251:16 255:22
   280:2,4 300:6
   315:7 333:15
   369:6
levels 253:13
   314:13,14 315:3
   316:8
leverage 312:9,10
   313:10
Lewis 234:12
Lexington 233:18
liability 277:13,15
   279:16 280:5
   290:11 291:10
   293:5,9,15
   294:12,19 295:5
   295:8,19 364:8
   386:3,5,7 387:8
license 237:4
licensure 311:10
limit 402:9
limited 273:15
line 275:13 397:12
   408:3,4 409:3,8
link 353:3
linked 349:20
list 239:15 240:5,10
   261:10,17 262:8
   262:10 274:5
   373:2 376:13
   380:20 381:15,19
   381:22 382:3,5,7

382:10,14,17
383:4,6,16,20
384:4,8,13 385:5
387:3 388:14,19
389:4,7,18,19,20
389:22 390:2,8
390:10,14,16,21
391:1 392:1,3,13
393:2 394:3,5,6,8
394:9 395:11
396:5,9,10,14
397:12,15,19
398:8 406:3
listed 273:16
literature 308:17
   389:4,5,9 391:20
   396:12,21
litigation 232:9
   272:1,3 275:1
   283:14 402:4
   409:22
little 245:15 278:5
   309:5 325:7
   351:18 381:11
   385:18 399:20
lives 324:17 353:16
   353:22
LLP 233:11 234:5
   234:12,18 235:3
   235:15
lobbying 313:18,22
   314:2,5,10,11,13
   314:17 315:2,9
long 295:17
longer 256:18
look 239:18 244:13
   244:21 248:12
   256:1 264:3,17
   264:20,22 265:1
   265:19 267:4
   269:20 270:9,13
   273:6 278:21

279:14 280:3
281:11,18 283:2
286:2,18 288:4,9
288:11,22 290:1
292:5 296:22
297:4 323:4,10
324:7 328:20
330:15 344:9
347:6 355:21
361:6 362:13
363:18 365:22
366:1,4,7 370:6
370:11 375:1
378:6,11 379:11
379:17 382:11
383:9 384:16,18
387:10 392:21
398:22 410:20
looked 240:1
   243:14 257:15
   258:22 267:16
   268:5 282:12
   302:22 306:13
   347:3 352:2
   357:11 358:12
   366:2
looking 243:3
   244:17,19 253:9
   253:18 254:21
   258:5 261:2
   263:17 270:12
   273:20 276:22
   285:10 286:16
   295:20 299:2,11
   299:14 300:1
   319:10 326:1
   330:6 344:4
   349:2 353:19
   355:11 362:7,20
   363:7 366:19
   380:4,10 383:2
   393:14,15 407:5

407:6
looks 263:16
   264:11 270:19
   320:22 330:11
   374:4 387:12
losing 314:8
lot 242:8 364:9
lots 304:8,10
lower 265:22 266:2
   266:6,13 268:6
   298:5 344:21
   384:1 408:15
   409:12
lowered 345:3
lowering 266:14
   345:10
lowest 343:17
lunch 350:6 371:3
   371:7
Lupron 254:15,17
   255:8,10,11
   256:14,15,17
   257:5,7,10 354:5
   367:18 368:10
   369:7,11

─────────────
        M
─────────────
M 235:2
Macoretta 233:3
   236:8 237:21
   248:21 262:14
   267:19 270:3
   274:7 284:9
   287:20 291:12
   292:16 297:8
   298:15,21 299:6
   299:17 303:11
   318:20 320:4
   323:2,18 324:3
   329:1 330:4
   331:17 350:6
   355:14 356:12
   358:19 359:4

360:8 361:1
363:17 365:11,15
366:6 367:9
368:5,18,22
369:13 370:10,18
370:21 371:2
389:13 395:6
397:9 398:2,14
399:18 401:8
404:7 405:8
410:7,9,17 413:6
413:16,22
magnitude 242:14
   301:21
magnitudes 269:16
Maguire 308:8,13
mail-in 242:11
Main 232:20 275:4
maintain 314:19
maintained 319:18
majority 338:21
making 307:2
   332:13 355:5
   356:6 362:21
   402:14 406:19
managed 236:14
   307:20 345:22
Mangi 233:10
mangled 293:20
manufacturer
   245:12 258:11
   262:1,6 272:11
   293:17 295:13
   342:7,7 344:20
   345:3,10 373:8
   388:14 395:15
   400:19,21 401:1
   401:5 406:11
manufacturers
   287:10,13 288:19
   342:2 355:13
   357:15 373:1